

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FAT BRANDS INC.,	:
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Plaintiff,	:
	:
	:
-v-	:
	:
PPMT CAPITAL ADVISORS, LTD. et al.,	:
	:
Defendants.	:
-----X	

19-CV-10497 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On January 10, 2020, Defendant Wesley Ramjeet filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Also pending is the motion to dismiss filed on January 8, 2020, by Defendant SJ Global Investments, Ltd. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

In light of Ramjeet's motion, the Court's prior scheduling order at ECF No. 55 is VACATED, and it is hereby ORDERED that Plaintiff shall file any amended complaint by **January 31, 2020**. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by **either motion to dismiss**.


If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, each Defendant shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that Defendant relies on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny Defendants' previously filed motions to dismiss as moot. If Defendants file new motions to dismiss, any opposition shall be filed within fourteen days, and any replies shall be filed within seven days of any opposition.

If no amended complaint is filed, Plaintiff shall file a single, consolidated opposition to both motions to dismiss by **January 31, 2020**. Defendants' replies, if any, shall be filed by **February 7, 2020**. At the time any reply is served, the moving party shall supply the Court with one, double-sided courtesy hard copy of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York.

Finally, it is further ORDERED that the initial pretrial conference previously scheduled for January 30, 2020, is adjourned *sine die*. The Clerk of Court is directed to terminate ECF No. 57, as it is duplicative of the motion pending at ECF No. 56.

SO ORDERED.

Dated: January 14, 2020
New York, New York



JESSE M. FURMAN
United States District Judge